

REMARKS

Claims 1, 13, 14, 18, 19, 20 and 21 have been amended to more clearly distinguish from the primary reference of Birenbaum et al (U.S. Patent No. 4,768,151).

More particularly, claims 1, 18 and 19, and essentially claims 13, 14, 20 and 21, have been amended to recite:

a readable memory having prestored blocks of data representative of predetermined numbers and also representative of predetermined patterns furnished from a media having magnetic coded information which is accessible by means operatively movable relative to said information of said media, wherein said predetermined numbers and patterns are correlated to each other to provide games of chance and are capable of being accessed and manipulated by said processor in response to said computer program.

Specifically, claims 1, 13, 14, 18, 19, 20 and 21 have been amended to recite a media having magnetic coded information which is accessible by means operatively movable relative to said information of said media. This amendment has been made to more clearly distinguish from the Examiner's interpretation of the memory module 14 of Birenbaum et al, given on page 6 of the Office Action of September 24, 2003, wherein the Examiner states that the magnetic code information of Birenbaum et al is also moveable relative to the media (i.e., removable).

Although Birenbaum et al may have information that is removable, it is not that of applicants' claimed operatively movable memory media, because if one would remove the memory board of Birenbaum et al, then one would also remove the information of the media which would negate any operability for accessing information from the media.

Claims 1, 13, 14, 18, 19, 20 and 21 now clearly distinguish from any interpretation of the removable memory module 14 of Birenbaum et al as being readable on applicants' recited

invention comprising magnetic coded information which is accessible by means operatively moveable relative to the media.

Reconsideration is requested of the Examiner's rejection of claims 1 and 3-21 under 35 U.S.C. 103(a) as being unpatentable over Birenbaum et al (U.S. Patent No. 4,768,151) in view of Norman et al (U.S. Patent No. 5,702,305). The Birenbaum et al reference was already distinguished from applicants' invention when it was discussed in applicants' Information Disclosure Statement as follows:

U.S. Patent 4,768,151 ('151) is directed to an electronic device for assisting individuals in the playing of bingo cards where a number of cards and a number of games are played during a session. The '151 patent has a read only memory (ROM) containing a bingo algorithm for playing the bingo game. The present invention is not limited to information stored in a ROM for determining the contents of its played game, but rather has its game information furnished from a versatile media, such as a disk, having magnetic coded information thereon.

The Birenbaum reference teaches a device (10) for managing bingo cards that receives information from a separate and distinct plug-in memory module (14). The Birenbaum reference specifically teaches the use of a separate and distinct plug-in memory module (14) to facilitate the entry of a plurality of bingo cards from any manufacturer by plugging in an appropriate memory module (14). Col. 2, lines 26-28 and 30-32, Col. 3, lines 46-48 and 52-54.

As previously discussed with regard to the amendment of claims 1, 13, 14, 18, 19, 20 and 21, the plug-in module 14 that includes a ROM 52 (see Col. 3, line 26) is not applicants' readable memory recited in claims 1, 13, 14, 18, 19, 20 and 21, as containing information furnished from a media having magnetic coded information which is accessible by means operatively moveable relative to said information of said media.

The void of Birenbaum reference is not filled by the Norman reference. More particularly, the Norman reference teaches an electronic game system comprising a plurality of personal display units 14 and a control unit 12. Each personal display unit 14 provides information on each player's game data and the overall game data. The personal display unit 14 has neither the memory nor the processor recited by claims 1, 13, 14, 18, 19, 20 and 21 of the present invention, but merely discloses a display 68 and a controller 64 in communication with the input device 65. See, col. 7, lines 43-55. As seen in Fig. 5 of Norman et al, like that of Birenbaum et al, the control unit of Norman et al contains a ROM which is not the readable memory recited in applicants' claims 1, 13, 14, 18, 19, 20 and 21, as containing information furnished from a media having magnetic coded which is accessible by means operatively moveable relative to the information of the media.

Assuming for the point of discussion, that the Examiner's references are combinable, even though either reference makes such a suggestion, the resulting structure would still be devoid of applicants' invention calling for a readable memory ... furnished from a media having magnetic coded information which is accessible by means operatively movable relative to said information

Nothing in the cited references taken alone or in combination, teaches, suggests or renders obvious applicant's invention recited in claims 1, 13, 14, 18, 19, 20 and 21.

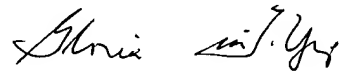
Claims 3-12, 15, 16, and 17 are directly or indirectly dependent on claim 1 or 13, and thus in the context of claim 1 or 13 are considered patentably distinguishable over the cited references.

For the reasons given hereinabove, it is respectfully solicited that the 35 U.S.C. rejection of claims 1, 3-12, 13, 14, 15, 16, 17, 18, 19, 20 and 21 be withdrawn and that these claims be found allowable.

Applicants have amended the claims in a manner believed to gain allowance of the claims, but at least in a manner to more clearly recite applicants' invention for appeal purposes. Accordingly, it is respectfully requested that this amendment is in conformity with 37 C.F.R. 1.116 and its entrance is respectfully requested.

By virtue of the applicants' amendment, including the arguments for the allowance of the claims, all outstanding ground of rejections and objections have been addressed and dealt with and, based thereon, it is believed that the application is now in condition for allowance and such action is respectfully requested.

Respectfully submitted,



Date: December 24, 2003

Gloria Tsui-Yip (Reg.No. 42,188)
Attorney for Applicant
STOLL, MISKIN & BADIE
350 Fifth Avenue
Suite 4710
New York, NY 10118
(212) 268-0900